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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,096	12/13/2000	Frank Schlieber	4070-187US (K400846US)	6536

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ONE COMMERCE SQUARE
2005 MARKET STREET, SUITE 2200
PHILADELPHIA, PA 19103-7013

EXAMINER

LEE, EDMUND H

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/736,096

Applicant(s)

SCHLIEBER ET AL.

Examiner

EDMUND H. LEE

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ed

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. Claims 10-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase "textile fabric..or the like" (cl 10,ln 2) is indefinite because the phrase "or the like" makes the metes and bounds of the phrase unascertainable.

The phrase "handling the coated fabric blank" (cl 10, ln 8) is indefinite because it is confusing. It appears that the trimmed preformed fabric blank should be handled instead of the coated fabric blank.

The phrase "inserting...injection mold" (cl 10, ln 11) is indefinite because it is unclear if the preformed fabric blank should be inserted into the mold. It appears that the trimmed preformed fabric blank should be inserted instead of the preformed fabric blank.

The phrase "the preformed fabric blank" (cl 10, ln 12) is indefinite because it is unclear. It appears it should be the trimmed preformed fabric blank instead of the preformed fabric blank.

The phrase "coating a surface of the plastic film facing the fabric" (cl 14, lns 1-2) is confusing because the surface of the plastic film facing the fabric is not exposed to the injection molded backing. The surface of the plastic film not facing the fabric would be the surface that eventually bonds to the injection molded backing.

Clarification and/or correction is required.

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2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jogan et al (USPN 5429786) in view of the admitted prior art as set forth in paragraphs 0008 of the instant specification. In regard to claim 10, Jogan et al teach the basic claimed process including a process for making a plastic injection molding laminated with a textile fabric, non-woven or the like (col 3, ln 58-col 4, lns 16; col 6, ln 33-51; col 7, lns 28-31 and 41-46; figs 3-10); providing a fabric blank having a fabric side a coated side, the coated side being a plastic film that is thermoformable, dimensionally stable when cooled, elastic, and impermeable (col 3, ln 58-col 4, lns 16; col 6, ln 33-51; col 7, lns 28-31 and 41-46; figs 3-10); performing the coated fabric blank by thermoforming to a desired outer contour of the plastic injection molding to be manufactured (col 3, ln 58-col 4, lns 16; col 6, ln 33-51; col 7, lns 28-31 and 41-46; figs 3-10); trimming the preformed fabric blank to a true-to-size contour before injection molding (col 3, ln 58-col 4, lns 16; col 6, ln 33-51; col 7, lns 28-31 and 41-46; figs 3-10); inserting the preformed fabric blank into the injection mold (col 3, ln 58-col 4, lns 16; col 6, ln 33-51; col 7, lns 28-31 and 41-46; figs 3-10); injection-backing of the preformed fabric blank by injection of plastic on the coated side to form the laminated injection molding (col 3, ln 58-col 4, lns 16; col 6, ln 33-51; col 7, lns 28-31 and 41-46; figs 3-10); and ejecting the laminated injection molding from the injection mold (col 3, ln 58-col 4, lns 16; col 6, ln 33-51; col 7,

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Ins 28-31 and 41-46; figs 3-10). Jogan et al, however, do not teach handling the coated fabric blank from the fabric side by suction grippers for insertion into and/or removal from an injection mold. The admitted prior art teaches that well-known automatic machines or robots having suction grippers can be used for handling injection mold articles. Jogan et al and the admitted prior art are combinable because they are analogous with respect to injection molding. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use usual/well-known suction grippers associated with injection molds to handle the trimmed fabric blanks by the fabric side in order to accurately insert the fabric blank of Jogan et al or remove the injection molding laminated with the fabric of Jogan et al. In regard to claims 11-14, Jogan et al teach providing an edge of the injection molding with a contour of any shape (col 3, ln 58-col 4, Ins 16; col 6, ln 33-51; col 7, Ins 28-31 and 41-46; figs 3-10); providing a three-dimensional shape (col 3, ln 58-col 4, Ins 16; col 6, ln 33-51; col 7, Ins 28-31 and 41-46; figs 3-10); and injection molding a piece of interior trim for an automobile (col 3, ln 58-col 4, Ins 16; col 6, ln 33-51; col 7, Ins 28-31 and 41-46; figs 3-10). However, Jogan et al do not teach coating a surface of the plastic with an activator. Such is well-known in the molding art in order to ensure good adhesion between a preform and a substrate. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to coat the plastic film of Jogan et al with an activator in order to a composite having good adhesion between the layers.

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4. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Herbst (USPN 6325955) teaches using suction grips to remove an injection molded product from an injection mold by gripping onto the side of the product opposite the runner.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDMUND H. LEE whose telephone number is


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571.272.1204. The examiner can normally be reached on MONDAY-THURSDAY
FROM 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on 571.272.1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EDMUND H. LEE
Primary Examiner
Art Unit 1732



3/22/04

EHL